

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SOPHAL SIV	:	
<i>Petitioner,</i>		
		CIVIL ACTION
v.	:	NO. 20-3632
SUPERINTENDENT MASON;		
THE DISTRICT ATTORNEY OF THE	:	
COUNTY OF PHILADELPHIA; and,		
THE ATTORNEY GENERAL OF THE		
STATE OF PENNSYLVANIA	:	
<i>Respondents.</i>		

ORDER

AND NOW this 10th day of August 2022, upon careful and independent consideration of: Sophal Siv’s Amended Petition for Writ of Habeas Corpus (ECF No. 6); Commonwealth’s Response in Opposition thereto (ECF No. 16); the Report and Recommendation of United States Magistrate Judge Richard A. Lloret (ECF No. 23); Petitioner’s Objections (ECF No. 24); and, the Commonwealth’s Response to Petitioner’s Objections (ECF No. 31), it is hereby ORDERED as follows:

1. In accordance with this Court’s accompanying Memorandum, Petitioner’s Objections (ECF No. 24) are DENIED;
2. The Report and Recommendation (ECF No. 23) is APPROVED and ADOPTED;
3. The Amended Petition for Writ of Habeas Corpus (ECF No. 6) is DENIED;
4. No Certificate of Appealability shall issue under 28 U.S.C. § 2253(c)(1)(A) because “the applicant has [not] made a substantial showing of the denial of a constitutional right[.]” under 28 U.S.C. § 2253(c)(2), since he has not demonstrated that “reasonable jurists” would find my “assessment of the constitutional claims debatable or wrong.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *see United States v. Cepero*, 224 F.3d 256, 262-63 (3d Cir. 2000), abrogated on other grounds by *Gonzalez v. Thaler*, 565 U.S. 134

(2012); and,

5. The Clerk of Court shall mark this file CLOSED.

BY THE COURT:

/s/ C. Darnell Jones, II J.